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MR

OLC-78-3454

8 November 1978

MEMORANDUM FOR : Director of Central Intelligence

VIA : Deputy Director of Central Intelligence
Legislative Counsel' ~

FROM : S. D. Breckinridge

SUBJECT : HSCA Proposal for Review of Preliminary
Reports

1. Action Requested: There is a recommendation for your approval in paragraph 4.

2. Background: The Chief Counsel of the HSCA has proposed a procedure, outside the formal Memorandum of Understanding, for preliminary review of the draft reports prepared by the staff. We will be provided the reports and will convey our comments in a series of meetings. To avoid a record of the exchanges we must agree to keep no copies of the draft (we will be allowed to reproduce copies) and to prepare no formal papers; all Agency reaction will be kept in informal working notes that will be destroyed. We must commit ourselves to this and establish procedures that will insure compliance.

3. This will provide us with an opportunity to correct certain positions that have been developed at the working level in the HSCA staff, as well as avoiding the difficulties of coping with a large report within the agreed five days when it is finally ready for formal comment. We have stated that we insist that any exchanges be with senior staff members to insure that our corrections and views are accurately handled. A detailed memorandum of the discussion is attached.

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4. Recommendation: It is recommended that we accept Mr. Blakey's conditions and that the undersigned be authorized to so state to him.

[Redacted Signature]

S. D. Breckinridge

Attachment:
As stated

[Redacted Attachment]

APPROVED:

Director of Central Intelligence

[Handwritten Signature]

DISAPPROVED:

Director of Central Intelligence

DATE: 11 NOV 1978

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OLC-78-3454/1

8 November 1978

MEMORANDUM FOR THE RECORD

SUBJECT : Review of HSCA Draft and Final Report

X1 1. [redacted] and I met with Mr. Blakey for about three hours yesterday morning. Other memoranda will report separate subjects. This one will cover the essential points discussed concerning Agency review of the HSCA preliminary draft reports and the final reports.

2. Assuming that we agree on how to review the preliminary reports, we could begin to see them within the next week or so. The way in which Blakey proposes that this be done is outside the provisions of our Memorandum of Understanding. The five-day time limitation would not apply. The final report would be handled within the five-day time limit, and the other provisions of the Memorandum of Understanding. Mr. Blakey is talking as though we will not see the final report until February. Considerations arising from the February date will be treated in a separate memorandum. The present memorandum will concentrate on the proposed preliminary reports.

3. The motivation for the proposal is probably mixed. We have begun to demonstrate our readiness to take issue on a series of detailed specific subjects speaking in a number of instances at an unclassified level. Whether the HSCA staff expected our corrections and refutation is not clear, but it does tend to question the credibility of the HSCA work to this point on certain issues. Mr. Blakey states that he wants to be sure that his report is factually accurate and to insure this he is prepared to give us an opportunity to speak prior to the time that the reports are put in their final form for the Committee. He wants to know in advance what subject matter causes us a problem from the point of view of classification. He wants the advantage of our factual corrections. And he certainly wants to know our disagreements, where we do disagree, and the basis for them.

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